

Michael D. Pinsky, P.C.  
 Attorney for Gotham Renovation Group, Inc.  
 30 Matthews St., PO Box 148  
 Goshen, New York 10924  
 Tel (845) 294-5123  
 Michael D. Pinsky, Esq. (MP1267)

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA,	)
	)
Plaintiff,	) Case No. 07-cv-6335 (CLB) (LMS)
-v.	)
THOMAS P. SOBIECH, et al.	) <b>ANSWER OF GOTHAM</b> <b>RENOVATION GROUP, INC.</b>
	)
Defendants.	)

---

Defendant GOTHAM RENOVATION GROUP, INC., by its attorney Michael D. Pinsky, P.C., now answers the Plaintiff's Complaint, and states the following:

FIRST DEFENSE

1. Paragraph 1 of the Complaint requires no response.
2. Deny knowledge or information sufficient to form a belief as to the truth of Paragraphs 5-7, 9-32, and 34-43 of the Complaint.
3. Admit Paragraphs 2-4, 7, 8, and 10, of the Complaint.
4. As to Paragraph 33 of the Complaint, admit Gotham Renovation Group, Inc. claims an interest in a portion of the property pledged or purportedly pledged by the Thomas Sobiech, Robin Sobiech, and Nichris Corporation (the "Sobiech defendants") to the Government. Further admit that Pine Island Group, Inc. claims an interest in a portion of the property pledged or purportedly pledged by the Thomas Sobiech, Robin Sobiech, and Nichris Corporation (the "Sobiech defendants") to the Government. Defendant otherwise denies knowledge or information sufficient to form a belief as to the truth of Paragraph 33 of the Complaint.

SECOND DEFENSE

5. The allegations of the foregoing paragraphs are incorporated by this reference.

6. On information and belief, and as reflected in the exhibits to the Government's Complaint, the Sobiech defendants first granted or purported to grant the Government a mortgage against real property located at 827 County Route 1, Pine Island, Town of Warwick, New York, tax map reference section 3, block 1, lot 43, Orange County records (the "Gotham Renovation Property") by an instrument entitled Real Estate Mortgage for New York dated and recorded sometime in September of 2000.

7. Gotham Renovation Group, Inc. acquired fee simple title to the Gotham Renovation Property by Referee's Deed as the result of being the successful bidder in a regularly conducted foreclosure sale.

8. The foreclosure action through which Gotham Renovation Group, Inc. acquired title was styled *Pine Island Group, Inc. vs. Thomas Sobiech, The United States of America acting through the United States Department of Agriculture and People of the State of New York*, Index No. 8965-2000, Supreme Court, Orange County, New York.

9. A copy of the Referee's Deed in the Pine Island foreclosure action is annexed as Exhibit "A". The annexed Referee's Deed, executed on August 4, 2004, was duly recorded in the Orange County deed records on January 24, 2005 at Book 11730, Page 1103.

10. The auction sale that resulted in the annexed Referee's Deed concluded the foreclosure of a prior recorded and therefore superior mortgage lien granted by Thomas Sobiech, which mortgage was duly recorded on November 28, 1997 in Liber 6388 of Mortgages, Page 232, Orange County records.

11. As a result of Gotham Renovation Group, Inc.'s successful bid and purchase at

the auction sale evidenced by the annexed Referee's Deed, and as a result of the recording of that Deed, the Government's subordinate mortgage lien in and to the Gotham Renovation Property was extinguished and of no further force or effect.

WHEREFORE, Defendant Gotham Renovation Group, Inc. seeks the entry of an Order (i) denying the Government the right to foreclose as to the Gotham Renovation Property; (ii) granting Gotham Renovation Group, Inc its attorney's fees and costs of this action; and (iii) granting such further relief as is just and proper.

Dated: Goshen, New York  
September 4, 2007

By: /s/ Michael D. Pinsky, Esq. (MP1267)  
Michael D. Pinsky, P.C.  
Attorney for Gotham Renovation  
Group, Inc.  
30 Matthews St., Box 148  
Goshen, New York 10924  
Tel: (845) 294-5123  
Fax. (845) 294-9384  
Email [mpinsky@frontiernet.net](mailto:mpinsky@frontiernet.net)